/802 cont./

622 single person with legal authority at the head of the whole tribe or the individual groups. Here we do not even have the institution of the kemál of the Selk'nam (Vol. I, 423).

692 627 Similarly there is no authoritative judge over all the people; everyone must seek his own justice. He finds aid and support among his circle of kinsmen in cases of legal disputes. The settlement of a dispute is determined more or less by club law. Everyone is dependent upon himself and his nearest kinsfolk for his defense, for, as Despard (b):716 assures us, "in Fireland is no king or magistrate. All men have equal rights and equal wrongs" /cited in English/. Decisions are, of course, not always just, and the absence of a non-partisan public authority based on legal principles damages character and weakens the sense of justice. Many inequalities with serious consequences develop on this foundation. Stirling has mentioned some of them: "This absence of chieftainship gives the violent spirits a better social position than they deserve, and a more dangerous sphere. It is left to individuals to avenge wrongs, at least for the most part; the strength and composure of a defined public opinion, vindicating right and proceeding to punish the wrong-doer are only exceptionally known. The law of the strongest prevails" /cited in English/ (MM:IV, 34; 1870).

It is to their own advantage that this Fuegian population is peacefully inclined. Outbreaks of violence in cases of legal disputes always affect /803/ only small circles and even this is infrequent. Among most of them an honest effort to be righteous and to observe tribal customs largely prevails. Infractions of the general feeling of justice and violations of the freedom of others seldom occur.

554 888 Among the Yamana there is no superior authority appointed by law, either for the entire tribal community or for smaller groups. There are always certain men, however, who, as a result of their advanced age and blameless character, their long experience and mental superiority, have a moral influence of such importance that it amounts to positive control (235). Thus

235. Fitz-Roy (a):178 realized: "There is no superiority of one over another, except that